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Atty. Dkt. No. 072827-1905

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Alan Mueller, et al.

Title: METHODS AND COMPOUNDS  
FOR TREATING DEPRESSION  
AND OTHER DISORDERS

Appl. No.: 09/990,405

Filing Date: 11/21/2001

Examiner: William R. A. Jarvis

Art Unit: 1614

#10/C  
JRP  
9/4/03

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b>	
I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.	
<b>Deborah Wykes</b> (Printed Name)	
 (Signature)	
<b>July 14, 2003</b> (Date of Deposit)	

**AMENDMENT AND REPLY UNDER 37 CFR 1.111**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This communication is responsive to the Non-Final Office Action dated January 14, 2003 concerning the above-referenced patent application.

Applicant has enclosed with this amendment a Petition for Extension of Time to make this response timely.

The amendments presented below are in compliance with the revised amendment format permitted in the Notice from the Office of Patent Legal Administration of the U.S. Patent and Trademark Office dated February 10, 2003, and published at 1267 OG 106 on February 25, 2003. Thus, the provisions of 37 CFR 1.121(a), (b), (c) and (d) are waived for amendments made in this application to the claims, specification, and drawings.

SEP. 3. 2003 2:47PM

858 792-6773 FOLEY AND LARDNER

NO. 3615 P. 7

Atty. Dkt. No. 072827-1905

**Amendments to the Claims are reflected in the listing of claims which begins on page 3  
of this document.**

**Remarks/Arguments begin on page 15 of this document.**

**Please amend the application as follows:**

SEP. 3. 2003 2:45PM

858 792-6773 FOLEY AND LARDNER

NO. 3615 P. 1

**FOLEY & LARDNER**  
ATTORNEYS AT LAW

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( CTO  
9/4/03 )

**FACSIMILE TRANSMISSION**

Total # of Pages 22 (including this page)

TO:	PHONE #:	FAX #:
Examiner Ostrup U.S. Patent and Trademark Office		703-746-5044

From : Wesley B. Ames

Date : September 3, 2003

Client/Matter No : 072827-1905

User ID No : 0188

**MESSAGE:**

As you requested, the following is an Amendment and Reply Under 37 CFR 1.111 which was previously faxed to Examiner William R. A. Jarvis on July 14, 2003.

If there are any problems with this transmission or if you have not received all of the pages, please call .

Operator:	Time Sent:	Return Original To: Deborah L. Wykes
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SEP. 3. 2003 2:46PM 858 792-6773 FOLEY AND LARDNER

NO. 3615 P. 2 p. 1

\* \* \* COMMUNICATION RESULT REPORT ( JUL. 14. 2003 4:32PM ) \* \* \*

TTI 858 792-6773 FOLEY AND LARDNER

TRANSMITTED/STORED JUL. 14. 2003 4:27PM  
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Total # of Pages 20 (Including this page)

TO:	PHONE #:	FAX #:
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From : Wesley B. Ames  
Date : July 14, 2003  
Client/Matter No : 072827-1905  
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### MESSAGE:

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SEP. 3. 2003 2:46PM

858 792-6773 FOLEY AND LARDNER

NO. 3615 P. 3

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<i>Deborah Wykes</i> (Printed Name)	
<i>D. Wykes</i> (Signature)	
July 14, 2003 (Date of Deposit)	

**AMENDMENT TRANSMITTAL**

Commissioner for Patents  
 PO Box 1450  
 Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

- [ X ] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a Small Entity statement previously submitted.
- [ X ] The fee required for additional claims is calculated below:

Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims: <u>24</u>	X <u>20</u>	= <u>4</u>	x \$18.00 =	<u>\$72.00</u>
Independents: <u></u>	X <u>7</u>	= <u>0</u>	x \$84.00 =	<u>\$0.00</u>
First presentation of any Multiple Dependent Claims:				+ \$280.00 = <u>\$0.00</u>
CLAIMS FEE TOTAL:				= <u>\$72.00</u>

- [ X ] Applicant hereby petitions for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

Atty. Dkt. No. 072827-1905

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$410.00	\$0.00
<input checked="" type="checkbox"/>	Extension for response filed within the third month:	\$930.00	\$930.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,450.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$1,970.00	\$0.00
	EXTENSION FEE TOTAL:		\$930.00
<input type="checkbox"/>	Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$55.00	\$0.00
	CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$1002.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$501.00
	TOTAL FEE:		\$501.00

- Please charge Deposit Account No. 50-0872 in the amount of \$501.00. A duplicate copy of this transmittal is enclosed.
- The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 14 July 2003

By Wesley B. Ames

FOLEY & LARDNER  
Customer Number: 33588



Wesley B. Ames  
Attorney for Applicant  
Registration No. 40,893

33588

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